

J. Deatry.



1476 no. 26

AN

ESSAY

ON THE

LIBERTY

OF THE

PRESS, &c.



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Y A S S E

ON THE

LIBERTY



P R E S S



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AN
ESSAY
ON THE
LIBERTY
OF THE
PRESS
Chiefly as it respects
PERSONAL SLANDER.

The SECOND EDITION.

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A N

ESSAY, &c.

THE Liberty of the Press having of late been the Subject of much Conversation, and many crude Things having been delivered out in Defence, as well as in Derogation, of that valuable Branch of Liberty, it becomes the Duty of every Friend to the Public to consider seriously,

I. How far the Liberty of the Press is connected with the Liberty of the Subject?

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II. Whe-

II. Whether the Complaints of the Abuse of the Press be well grounded; And,

III. Whether the Peace and Security, which any Individuals may derive, from a new Restraint of the Press, will compensate for the Mischiefs which may arise from such Restraint?

The Subject indeed is much more copious; but the Design of this Essay is not so much to enter minutely into the Subject, as to direct the Attention of the Public to such Parts of it, as are most interesting, and better discussed by cool Reasoning, than by popular Clamour.

I. Liberty in general is a Freedom from all but natural Restraints. This being inconsistent with Society, it is improved into a more limited Liberty, the Liberty of the Subject, which may be defined a Freedom from all but legal Restraints. The Perfection of social Liberty is the Power of asserting,

asserting, by Representatives, those natural Rights which were reserved in the original Compact, which established Society ; and this is *British Liberty*.

The Art of Printing was derived, though late, from the Use of Letters, and the Invention of Letters was originally founded in the Use of Speech. Man being intended for Society, was created communicative. The Gift of Speech, for some Time, gave Vent to this natural Disposition, 'till by the Increase of Men the Faculty became too confined for the Purposes of social Life.

Signs were invented for a distant Inter-Course. In the Times of Simplicity, these Signs were the bare Images of Things. This proved a tedious Method of writing, or corresponding. Many Things were not expressible. Action and Passion wanted their Signs, which infinitely perplexed the communicative Turn of Lovers, Scholars, and Politicians.

Necessity soon improved the Invention. Letters became the Signs of Words, Thoughts and Things; and though in many Cases they have since degenerated, and are applied to signify nothing but Words, yet it was manifestly the Design of the original Inventor, that, by general Consent, Letters should express Words, Thoughts and Things.

For many Ages they were applied to one or all of these Uses, and Thousands of Annals maintained themselves more reputationably, than Thousands of Authors have done in modern Times.

At length, a Variety of Events having opened a Communication between the several known Parts of the Globe, Writing became too slow a Vehicle for the Benevolence of Mankind, much about the Time when Arrows and Swords were not expeditious enough for their Fury.

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Both Dispositions were gratified by Accidents, and Types and Gunpowder were receiv'd in all civilized Countries, as tending to the Ornament and the Defence of civil Communities.

Learning soon flourished; Superstition and Dulness were disgraced; Liberty was the Offspring of Learning and Truth; and by the quick Circulation and Collision of the Products of different Minds, Men were animated and enlightned. They studied their Rights, and in some few Countries asserted and enjoyed them.

But the same Kind of Men, who were cramped in their Genius for Destruction, till Gunpowder facilitated the Work, availed themselves likewise of the noble inestimable Art of Printing, by converting the Press into a new missive Weapon. The Mischief was felt and lamented, but has not, in any Christian State, been totally suppressed.

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The apparent Reasons for this Toleration of so great an Evil, in the most arbitrary Countries, are, 1. The Benefits of the Press, which outweigh the Mischiefs of it; and, 2. The extreme Difficulty of totally depriving Men of a Liberty, derived from the natural Right and Faculty of Speech. Thus the Liberty of the Press is connected with natural Liberty.

The Liberty of the Subject being now generally admitted to be founded in the Reservations made in that Compact, which originally cemented Society, supposeth the Use of Speech:

The Men who first gave up their natural Rights for the Benefits of Society, must have stickled hard for the Faculty, which promoted and facilitated the Conjunction; and most certainly, they never entered into a Compact, that, if at any Time the Gift of Speech should be grossly abused by any
Number

Number of Men, a whole Nation would submit to be deprived of the Use of it.

Whatever they cannot be supposed to have given up remains a natural Right, and is a Part of those Rights, which constitute the Liberty of the Subject.

British Liberty consists in the Power of asserting, by Representatives, those natural Rights which were reserved as the Liberty of the Subject, at the first Institution of Society. It would be an Act of Sedition, as well as an Absurdity, to insinuate that this Power is ever likely to be perverted, to the Destruction of any natural Right thus reserved: So close is the Alliance between the Liberty of the Press and the Liberty of a *British* Subject,

We may judge, from this View of the Case, how greatly those learned Men are mistaken, who deny the constitutional Existence of the Liberty of the Press, because
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the Press is not co-eval with *Magna Charta*. The Use and Liberty of Speech were antecedent to that great Charter of *British* Liberties; and Printing is only a more extensive and improved Kind of Speech.

It may indeed be objected, that the Tongue will admit of Restraints, as well as the Hands; and that, for the Peace of Society, such Restraints must be supposed to have been originally submitted to.

This is undoubtedly true. It is the Duty, and in the Power of Legislators, to restrain every impious, or immoral Abuse of Speech, tho' it be not in their Power absolutely to abolish the Use of Speech. The principal End of every Legislature is the public Good. This is the supreme Law; for it is for the Sake of the Public that Legislatures exist.

The great Offences which either the Tongue, or the Pen, or the Press may commit, and which fall more immediately under the

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the Cognizance of Government, are Blasphemy, Perjury, and Treason. These are Offences against the whole Community; therefore the Punishment of them is the most unexceptionable Act of Power, and must have been consented to by every Man, that ever enjoyed the Benefit of Society. It is the Punishment of Licentiousness, not of Liberty; and Liberty was never yet affected by any due Punishment inflicted upon the Licentious.

Personal Slander is a subordinate Evil. When it concerns a Member of the Legislature, his Character is fortified by Privileges, which, as they are established for the Honour of the Legislature, have a Respect to the Good of the Whole. In other Cases, personal Slander affects only one Member of the Community; and tho' the Mischiefs of it may, by his particular Situation, extend beyond himself, yet it has seldom been thought a Matter worthy of the Cognizance of the Whole, farther than

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by the Provision of a general Law for his Redress.

It is the Wisdom of our Laws in particular, to remind the Party aggrieved, that his Injury is only personal; for the Law confines the Reparation to the Damage he has sustained. This Damage may be magnify'd by his public Character, but it is only magnified to himself; for the Reparation is made to himself, not to the Public.

When personal Slander ripens into a judicial Accusation, it then, and not till then, becomes a public Concern; and the Prevaricator, or the false Accuser, becomes a Debtor to the Public.

Men who do not rightly distinguish this, may, from a vain Opinion of their public Importance, assume the Place of the Public, and excite the Attention of a whole Nation to a mere personal Slander. But Bodies of Men are as acute in their Judgments, as Individuals. They will immediately see, that
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the Slander is only personal, and, therefore, will either contemptuously forbear to examine it ; or they will suspect it to be true, when Persons eminent in Office, or in Abilities, are weak enough to subject the Merits of the Slander to a solemn Enquiry.

But personal Slander is a vague Term. Men who are tender of an infirm Reputation will apply it to general Words and Sentiments, which may prove hurtful to their Characters in particular. In this View the Liberty of the Press would indeed be a public Nuisance ; and *Tacitus's* Account of *Sejanus* would deserve to be suppressed, as a Libel against some Men, whilst Books of Religion and Morality underwent the same Fate, as too poignant for the Delicacy of others.

We will do them the Justice to limit their Idea of personal Slander, and suppose them to define it, any direct injurious Charge upon themselves. If the Charge be injurious, and merely personal, they have a Right to per-

sonal Redress. Even if the Charge be true, the Law will in many Cases relieve them; tho' the Man who saves a Family, or only a single Person from Ruin, by a true Charge against another, would be pretty secure in the Verdict of a *British* Jury.

But let us suppose a higher Case, and one which it is hoped will never happen. Suppose a Set of Men should insinuate themselves into Power, who are known to be Enemies to the Political Constitution. Suppose them to manifest their Principles in the Course of their Measures, whilst they deny them, at proper Seasons, by the most solemn Professions. Suppose the Characters of these Men, and the Situation of the Public to be such, that no Friend to his Country can act in Concert with them, and preserve his Integrity; will it be called personal Slander, or will any honest Man judge it criminal, to expose the political Characters and Views of such Men? Will it be an Abuse of the Liberty of the Press, to open the Eyes
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of the Public, or to rouse its Lethargic Friends? Will it not rather be considered, by all disinterested Men, as the original Use and Intent of that Liberty?

The Party aggrieved may possibly find Redress in Law, because the Law is general, and could not except a particular Case of this Kind, without appearing to license more injurious Slanders; but the Liberty of the Press cannot be affected by such a Case, whilst the Liberty of the Subject subsists. And if the Person who undertakes this heroic Task should suffer, by a legal Prosecution, he will be considered by every Patriot, as a Martyr to the Cause of his Country.

But here another Question arises, What are those Principles which characterize an Enemy to the political Constitution? The Answer is, Those which are inconsistent with the Existence of that Constitution. Among us, for Instance, the Principles which strike at the Vitals of our glorious
Revo-

Revolution, which were active in opposing the Accession of the present Royal Family to the Throne of these Kingdoms, and which have been ever since uniformly maintained by some Men, in spite of all the Experience they have had, that the Interests of the Protestant Establishment are inseparable from the true Interests of this Country.

Let such Men continue to entertain their Principles in private, for possibly the Disease of their Minds may be incurable. But let them not attempt to join together two Things so inconsistent in Nature, as their Principles, and the public Service of their Country. They might be good Subjects, and, perhaps, tolerable Statesmen, in *Russia* or in *Spain*; but in this Land of Liberty they will, and must be Turbulent, as Magistrates, and Destructive, as Politicians.

Volumes might be quoted, to shew that this is not the singular Opinion of the Writer of these Pages; but one Quotation will suffice, to establish by Authority what is
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so well founded in Reason. The Reverend Doctor *Squire*, in his *Essay on the Balance of Civil Power*, presents us with the following strong and true Declaration.

“ We have the most rational Grounds to
 “ rest assured, that our own essential Liberties,
 “ his Majesty’s just Prerogatives, and the
 “ ancient Constitution of the Kingdom,
 “ will be preserved pure and inviolate, whilst
 “ the Administration of public Affairs,
 “ under the Sovereign, continues to be en-
 “ trusted in the Hands of the WHIGS:
 “ But whenever, thro’ some fatal Coinci-
 “ dence of Circumstances, either the
 “ TORIES or the Republicans shall get the
 “ Superiority, and become Masters of the
 “ Reins of Government, then, indeed, it
 “ will be Time to look about us, to ring
 “ the Alarm-Bell, to put ourselves upon
 “ our best Guard, and to watch every
 “ Motion of the desperate Enemy.” So
 far Doctor *Squire*.

Now

Now the best Method, in such a Case, of ringing the Alarm-Bell, is to exercise the Liberty of the Press. The Exercise of this Liberty, amidst all the Persecutions it laboured under, had the good Effect of putting the Nation upon their Guard, in the Reign of King *Charles II.* It was by the Exercise of the same Liberty, that every Motion of the desperate Enemy was proclaimed and opposed, in the Reign of King *James II.* It was by Means of the Truths conveyed by the Press, that the Ministry of the four last Years of Queen *Anne* became odious to the Public, and that his late Majesty escaped falling into the Hands of the *desperate Enemy*, of Persons, who would have deprived that Prince of the Service of his most faithful Friends, and, by Degrees, have betrayed him and the Constitution, to an Enemy, more terrible to *Great-Britain* and *Ireland*, than Sword or Pestilence.

The Reader will observe, that the Abuse of this inestimable Liberty is not here defended.

fended. The *Alarm-Bell*, or the Slander, if it must be so called, is directed to the desperate Enemy, only, when he intrudes into Power. In his private Life good Men will not molest him, and Politicians need not. Let him enjoy the Gloominess of his own Mind; let him even partake in the Sunshine of Liberty, and himself experience, how impartial and universal the Influence of it is. But if ever he presumes to invade the Constitution of his Country, by arrogating Power, then, indeed, it will be Time to look about us, and to display the Use and Benefits of the Liberty of the Press, by applying it to the Defence of the Liberty of the Subject.

If he interprets this to be personal Slander, let him take the Redress which the Law may give him; provided the ALARM-BELL be but rung, and the Nation convinced of Truths of the highest Importance, which could not be divulged without affecting him personally.

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It may be necessary to recapitulate, before the second Enquiry is considered. The Use of Speech is a natural Right, which must have been reserved, when Men gave up their natural Rights for the Benefit of Society. Printing is a more extensive and improved Kind of Speech: As such it cannot, without a Violation of the natural Rights so reserved, be subjected to any Restraints, but such as are fitly laid upon Speech. Blasphemy, Perjury, Treason and Personal Slander, are the principal Offences which demanded a Restraint. The three first are Offences against the whole Community. The last, being only an Offence against Individuals, if the Punishment of it be carried beyond the Damage sustained by the Persons aggrieved, the Liberty of the Press may be violated in some Instances, in which that Liberty is of the utmost Consequence to the Interests of the Family on the Throne, and to the Liberty of this Country in general.

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II. The second Enquiry is, Whether the Complaints of the Abuse of the Press be well grounded?

It is extremely material to consider this; for then we shall judge, whether the Complaints be Public or Personal: And, if the Laws in Being are insufficient to remove them, how far any new Law may be expected to reach. Whether only to Blasphemy and Treason, which may appear to be its proper Objects; or to Personal Slander, which is not so easily restrained by any other Methods, than those now subsisting, and which may appear to be a less mischievous, and a less prevailing Offence.

The two Writers chiefly complain'd of are two, who may be very fitly named together, without doing any Injustice to either of them; the late Lord *Bolingbroke*, and the Writer of the *London Evening Post*. It is not a little mortifying to an Advocate

for the Liberty of the Press, to confess the Abuses of it, committed by both those Writers.

The former indeed hid himself in the Grave, before he ventured to infect the Air of this Country with the most pestilential of his Writings.

In order to defeat the Ends of Providence, in summoning him from a State to which his Vices and his Parts were a Disgrace, he left his posthumous Works to infatuate the Nation which he had not the Pleasure to ruin.

After all his Tergiversation, his Professions here, and his contrary Practices Abroad, it might seem necessary to him to justify the Consistency of his Conduct, by shewing that he never acted upon one right Principle; or, perhaps, his Bitterness against Religion might arise from the admirable Connection between our political and religious Establishment. He might observe the

the People attached to their King for the Sake of their Religion, and to weaken this Tie, he might undertake the foolish, as well as impious Talk, of undermining all Religion.

However, those posthumous Works of his have been published triumphantly ; and those, whom it concerns, have given a signal Proof of their Tendernefs for Liberty, by not suppressing a Book, written with a View to pull up the Root of all human Society ; and by molesting none of the Persons concerned in the Publication, tho' the evil Tendency of the Book was so well known, that it was loudly proclaimed, long before the Expectation of Libertines was gratified.

It would be a still more undoubted Proof of this tolerating Spirit, if the Reviser of one Part of the Book should appear to be in an Office, closely connected with Religion and Morals, and, in some Degree, connected with the Religion and Morals of Posterity.

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There can be no Reason to apprehend Dangers to the Liberty of the Press, whilst this uncommon Licentiousness passes with Impunity, and whilst it is thought the Interest of the Public, that so atrocious an Offence, against the Public, should be rather felt and complained of, than punished upon the Persons of the Offenders.

The Writer of the *London Evening Post* would scarce deserve a Mention, if the Complaints of him were not very general. He is less mischievous by being more dull, but has the Advantage of intermixing his Treason with the great Object of every Man's Attention, the News of the Day.

Indeed if every Member of the Community were to consider the Benefits of the Community to himself, the bad Designs of such a Writer, however miserably executed, would appear to demand Attention.

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It would be not a little unpleasant and alarming to the Man, who inhabits a House, of which he admires the Structure, enjoys the Shelter, and in many Instances daily perceives the Conveniences, to read a Paper circulated through the Kingdom, inculcating the Expediency of demolishing the House, with a Promise of better Shelter, and more Accommodation for the Proprietor of it, in a Prison. Surely the Case becomes much more alarming, when applied to our national Shelter, the *British* Constitution.

Yet such is the Lenity of our Rulers, that 'till very lately, this malignant, though contemptible Writer, has escaped Animadversion. The Friends to the Royal Family, and to the true Interests of the Public, have trembled to see the Reigns of the two best Princes, that ever bore the *British* Scepter, treated as national Calamities, to read Jacobitism extolled as public Spirit, and the Principles of the WHIGS, the only CONSTITUTIONAL Principles, stigmatized as
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the Result of Atheism, the Invention of Profligates, and the miscreant Spirit of Traitors.

The End of Government being Protection, every Individual, who is aspersed from this Sink of Slander, knows where to apply for Redress. But the public Reprehension this Writer calls for, must be an Instance of Self-protection in the Government, which Subjects cannot prescribe, therefore they must wait till the proper Season, when their Governors shall think it expedient to shew, that an Offence against the Whole is more penal, than a personal Offence against an Individual.

For there are sometimes Expediences, of which it is impossible for private Men to judge; and they would advance very far towards the Evil they complain of, if, thro' an intemperate Zeal, they should take upon them to assert, that there are other than public Reasons, for not vindicating the Honour of the Family on the Throne, of the whole,

whole Legislature, and of the Constitution; or, that any Set of Men are more anxious about *little Blemishes* discerned in their political Characters, than about the Reputation of the King and Government, and the Opinion, which foreign Powers may entertain, of a Body politic, whose Members are perpetually defiling and maiming the Head. It is sufficient for the Complainants that the Writer in Question has at length provoked public Resentment, after some of the worst of his Libels had passed unnoticed, and uncensured.

He has likewise distinguished himself as a personal Slanderer; but surely this is not a Matter of public Complaint. If the Person slandered be a Member of the Legislature, he knows his Privileges; if he be a private Man, the Law is at Hand to do him Justice. If the Slander against a private Man be guarded by Innuendoes, his Case may be hard; but the Case of innocent Writers would be harder, if Innuendoes should be construed into Defamation. They

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may be construed into Treason and Sedition, by the Connexion and manifest Tendency of a Book, though this is seldom done. But Treason and Sedition are Outrages, which it is the Interest of the Public to check; Personal Slander is an Offence, which it is only the Concern of Individuals to resent.

From this fair and true Representation of the prevailing Abuses of the Press, the Reader will judge, that the Complaints are rather Public than Personal, and as such, it may be presumed, that the Remedy will extend no farther than the Security of the Public.

If, indeed, bad Men were in Power, or had Power sufficient, they would lay the Press under a general Interdict, and from this bold Measure would advance to another, which has been practised in a neighbouring Kingdom, an Edict to forbid Subjects the Pleasure of discoursing upon public Affairs. But those are Times which the *British* Dominions will never experience, whilst the Revolution continues the Basis of
our

our Government, and whilst the Throne is filled by his present Majesty, and his illustrious Descendents.

Under the Administration of bad Men indeed, Personal Slander would be the forest of all Evils. The Public might perhaps be indulged in the Amusements of Blasphemy and Treason, provided the proper Objects of Personal Reproach continued unmolested ; or the Blasphemy and Treason would be only resented at a Time, when it might be expedient, to intimidate Printers and Publishers, lest their Insolence should rise to the Cruelty of creating Jealousies against particular Men.

A simple By-stander might, in such a Case, be forward enough to expostulate with those delicate Characters, and foolishly tell them, “ Gentlemen, what have you to apprehend ? If the Slander you would obviate be false, of what Use is your Greatness, and how precarious will it prove, if in the least endangered by a false Accusa-

“ tion? If it be true, is the Fountain of
 “ Intelligence to be shut up, because your
 “ peculiar Danger is, that it may now and
 “ then send forth an affecting Charge against
 “ you?”

The Answer of those Gentlemen would be a most inverted preposterous Maxim, but very well suited to such a System of Policy, as bad Men may be supposed to adopt, that the Good of the Whole must give Way to the Peace and Security of Individuals.

This Answer will become the Subject of the third Enquiry. Before it falls under Consideration, it may not be impertinent to observe, how differently a licentious Abuse of the Press may operate at different Junctures.

In sober religious Times, when Men are rather deeply sensible of their religious Duties, than clamorous about their religious Professions, the pretended Philosophy of Lord *Bolingbroke* will meet with a deserved Indignation and Contempt. The many will
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unite against their common Enemy. The Book will be considered as a Libel against the Public; and all the Disciples and Creatures of so contagious a Writer will become infamous, as his Allies and Confederates, in the wicked Design, of defying the Creator of the World, and dissolving the Tie of Union, between an excellent Prince and a loyal People.

In dissolute Times, prudent Men will be cautious and reserved, in speaking their Sentiments, even of this profligate Book, lest they should incur the Displeasure of the intimate Friends and Profelytes of the Author. The Few may write and complain against it, but their Writings and Complaints will be neglected, perhaps resented, by those who cannot condemn the Work, without some Degree of Self-Condernation, for the Confidence which heretofore subsisted betwixt Them and the impious Author.

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In Times when a great Majority of the Nation have the Virtue to profess, and exercise a Zeal for the Cause of Liberty, and of the Protestant Establishment, Treason and Jacobitism will crawl about only in Manuscript, and be communicated with a trembling Hand, and the most solemn Injunctions of Secrecy, from one of the infamous Tribe to another; for they will dread the Vengeance of the Many, of the Patriots, who are watchful for the Peace and Security of the State.

On the other Hand, in Times when Men are as licentious in their political, as in their religious Conduct; when true Patriotism is become ridiculous, and a Coalition of WHIG and TORY, that is, of Light and Darkness, is thought by some Men more natural, than a rigid Perseverance in the Principles of Liberty, which only can secure the Throne, which is founded upon them; in such Times Treason and Jacobitism

tism will break out of their dark Corners, in which they had been lurking. They will venture, upon stamped Paper, to take the Tour of the two Kingdoms, and scatter their diabolical Seed, for a Harvest of Mischief and Confusion.

In Times when Men of the best Hearts, and of the soundest Abilities, are called forth into the Service of the Public, Men, who are resolute and assiduous in promoting the public Good, rather than their private Emolument, personal Slander will dwindle into the mere Impotence of Inveective. It will become Matter of Amusement to Characters so much superior to it, and the Liberty, of which it is an Abuse, will be as sacred and inviolate in their Hands, as if the Press was employed in transmitting their due Praises to Posterity.

In Times, on the other Hand, when narrow-minded Men, born and educated to Prejudices which they dare not avow, sneak
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into Power and Confidence, then personal Slander will come to be considered as an important Offence. The whole Community will be called upon to avenge it; the Press will be intimidated; the Constitution will be said to be wounded, the Moment such Men are only stung; and heavy Penalties will be devised, and severe Prosecutions threatened, against the Violator of the public Peace, that is, the Writer, who presumes to lay down certain true Premises, and to draw from them just Conclusions.

And why all this Agitation, and Threatning, and Confusion of Face, but because it is not indifferent to such Men, nor indeed is it to the Public, whether they are In or Out of Power. Their Characters require Shelter and Support. They are not fortified by the *murus abeneus*. It demands more Care and Anxiety to support a tottering Superstructure, upon a weak Foundation, than a solid Edifice, of which the several Parts are well disposed and connected, of which
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the Whole is uniform, and the Foundation unshaken.

But Comparisons are invidious. We will leave them, and enter upon the third Inquiry,

III. Whether the Peace and Security, which Individuals may derive from a new Restraint of the Press, will compensate for the Mischiefs which may arise from such Restraint?

In order to discuss this, it may be worth considering previously, what Sort of Peace and Security such Men may derive from a new Restraint of the Press. This Consideration will answer the Inquiry, even without disputing their favourite Principle, that they are as important to the Public, as they wish to be thought.

Slander is remarkably keen and active. The Obstructions it meets with in one Channel, will only have the Effect of producing

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 a more copious Eruption in another. Men who dare not print, will write; and tho' their Writings will not be circulated with the Velocity of fugitive Pieces from the Press, they will make a much deeper, and a more lasting Impression.

Every Hand through which they pass, will transcribe them, for the Pleasure of possessing, and the Power of communicating, a Secret. If they pass thro' ingenious Hands, they will have the Chance of being improv'd and embellished. If the Object of them be an Unpopular Character, every Sentiment of the Writer will acquire some additional Force, from the Prejudices of every Reader.

Men will be more disposed to talk over what is so cautiously circulated, than Things which become too familiar, by being in the Hands of the Multitude. In the Course of such Conversations, Circumstances will arise, which will inflame the Odium of the Unpopular

popular Men. Their Birth, Education, Connections, Confanguinities, Measures, Personal Foibles, and even their Aspect, their Visage, if at all unpromising, will confirm the Dislike, and ripen it into Clamour and Execration.

Where then is the Peace and Security, which Individuals can hope for from a new Restraint of the Press? If it be urged, that the same may be alledged in the Case of Treason and Blasphemy, the Objector will find himself mistaken, when he considers that Treason and Blasphemy are not so securely handed about in Manuscript. They may now and then stray into the Hands of one, who might remember his Obligation to detect, or to destroy them. But when the *Measures*, or the *Power*, of any Individuals, are become alarming to the Public, a whole Nation must be struck dumb, or some Things will be said, which may prove the Use of Speech to be as great a Nuisance to some Men, as the Liberty of the Press.

But let it be considered, at what Expence this imaginary Peace and Security of Individuals must be purchased ?

First, At the Expence of one of those natural Rights, which were reserved at the Institution of civil Society, the Right of communicating our Thoughts, provided they be neither treasonable nor blasphemous. It is certain that all Men do not understand their natural and social Rights clearly enough to shew their Foundation and Use ; but let any one, even the least of those Rights be invaded, and the Invasion will be immediately understood ; whether it be from Instinct, or from what we call common Sense, or from the laudable Pride of Liberty, he who has the least to hazard will become clamorous, as soon as he apprehends an Encroachment upon the least Part of that little he has.

And shall a general Clamour, which may be founded on good Sense and a Spirit of Liberty,

berty, be excited for the Sake of any Individual? True Policy will answer in the negative, and our present Governors will with one Voice admit, that such a Measure is not necessary; and that tho' it should appear, by the Eloquence of the complaining Individuals, to be necessary, yet, on Public Accounts, it would not be expedient.

In the second Place, This imaginary Peace and Security of Individuals, must be purchased at the Expence of Learning, of Improvements in Science, and of Discoveries in Nature and Religion. How immense a Price this is, may be best judged by those, who know how to estimate Learning and useful Discoveries. It is too much to suppose, that any Set of Men, in a civilized Country, can be such Barbarians, as to value their private Peace at a higher Rate, than any Instrument of general Knowledge. Perhaps it might not be exaggerating to affirm, that a thousand innocent Errors were better divulged, than one important Truth suppressed.

Indeed

Indeed no such Men are here supposed ; for no more is meant than to limit the Complaints of the Abuses of the Press to their proper Objects. It is evident, that if they transgress those Limits, they cease to be the Complaints of public Spirit, and degenerate into the unmanly Peevishness of personal Resentment.

Learning owes its flourishing State to the Press, and as any Branch of Learning may chance to be connected with some Scheme of Policy, the Restraints of a License or Imprimatur would cramp and fetter ingenious Minds to such a Degree, that they would compose themselves to Rest, and leave learned and curious Disquisitions for such Puerilities in Literature as cannot offend.

The Consequence might be favourable enough to TORY Principles, to Passive-Obedience and Non-resistance ; therefore the Grand Seignor prohibits the Use of the Press,

Prefs, and therefore the Kings of *France* and *Spain*, and other arbitrary Potentates, suffer nothing to be printed without Permission. But in a Country of Liberty, Learning will soon be impatient of unnatural Restraints, and retire to those Climates, to which the Restraint may be more natural.

The third Article in the Price of this imaginary Purchase to Individuals, is that for which our Fore-fathers struggled, at the Hazard, and sometimes at the Expence, of their Lives and Fortunes, **THE LIBERTY OF THIS COUNTRY.**

Without the free Use of the Prefs, any Characters or Designs unfavourable to the Royal Family, or to Liberty, cannot be publicly Known, till it is too late to oppose them. Hence the greatest Enemies to the Prefs are those Characters, which are notorious for entertaining those Designs.

Men of true public Spirit, when advanced to Power, will be Friends to the Birth-
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rights of their Countrymen; and, as such, will have Nothing to fear from the Press. They will rather rejoice in it, as the Channel by which speculative Men may convey an *useful Hint*, which it might appear presumptuous to offer in Conversation.

Whereas Men, who are too diffident of their Characters, to wait for an honourable Call into the Service of the Public, will find a grievous Obstacle in the Liberties of their Country. They will no sooner thrust themselves into the Cabinet of a Minister, than they will meditate Schemes for soaring above him. In order thereto, they will set soberly about the Overthrow of the Commonwealth; and that true Liberty may be the more effectually attacked, their Counsel will be, to connive at Licentiousness, till the Outrages of it become unsufferable. Then it may be no Difficulty to bring personal Slander into the aggregate Sum of Offences, and, by subjecting that to new Penalties, the great End will be answered; for the most deserved, and most important personal

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Reproach will be somewhat retarded, by the slow Circulation of a Manuscript.

And who are the Individuals, whose Peace and Security can demand this Protection? Considering the Importance of the Sacrifice, they should be Men of the first Consequence, distinguished by their Rank, by the Services of their Ancestors, by many conspicuous Proofs of Patriotism in themselves; unblemished in their own Characters; in their whole Lives; in their Friendships and Alliances; always beloved; never once suspected; solicited by the People, not obtruded upon them; and, in short, Friends to Liberty by Education, by Temper, and by their Connections. But such Men as these need no Protection; their own Minds will protect them against Slander, if the Laws should not.

They must be Men of different Characters, that stand in Need of more Peace and Security than the Rest of their Fellow-Subjects, and have the Presumption to seek for

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Shelter, in a Breach of the Public Liberty. Men, of no real Consequence in themselves, neither distinguished by the Services of their Ancestors, nor by any extraordinary Merit of their own; labouring under general Suspicions, and these founded in every Circumstance, that can possibly create, and firmly ground a Suspicion; disliked by Men of all Ranks, and of the highest Understanding; invidiously advanced to Power and Confidence, in Neglect of the most meritorious Hands and Heads; and, in short, Friends to the worst System of Policy, as the best adapted to their own Emolument. These are the Men who may feel the Liberty of the Press, and, as they will consider every Thing in the narrow View of their own Interest, may determine to overthrow that Liberty.

Hence the Public, and those whom it concerns will judge, whether the imaginary Peace and Security of such Men be worth a Purchase at any Price? or, indeed, whether such Men at all deserve the Notice
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and Regard of the Public? Whether their Power, if they had any, would not rather deserve to be considered as a Toleration, on the Part of the Public, than as an Establishment? And, whether the Liberty of the Press ought to be in the least affected by any Thing such Men have suffered, or may suffer from it?

I am so sanguine for the Honour of my Country, as to doubt of the Existence of such Men, in Places of Power and Trust. It is impossible that the Friends to Liberty, who are still very numerous, could act in Concert with them, or not oppose them, with all the Zeal and Circumspection of loyal Patriots.

For Power cannot be innocent in such Hands. Where any Motive prevails, distinct from the Good of those, for whose Sake the Power is conferred, that Motive will direct the Power.

It will introduce Men of the worst Characters, of the worst Principles, of the lowest Qualifications, into Offices, in which the most important Perquisite to them, is the Power of doing Hurt.

And it will exclude Men of the highest Probity, and of the best Understanding, from every Branch of Power, because Power, in their Hands, would be directed to public Utility; and so not only become useless to, but would involuntarily be levelled at, the Views and Designs of those Enemies to the Public.

The Friends to Liberty would soon be sensible of this. They would look about them, and ring the ALARM-BELL, and put themselves upon their best Guard, and watch every Motion of the DESPERATE ENEMY.

As a Spirit of Liberty is naturally restless and jealous, even tho' the Danger be not real, but magnified by the Arts of Faction and Sedition, we cannot suppose the Friends

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to Liberty to lie dormant, if Principles of Slavery were known to be creeping towards the Root of it, and so far advanced, as to wither the Leaves, and deprive the Branches of their radical Moisture.

These must be the Illusions of well-meaning Men, who are dreaming for the Good of their Country; for as Men of opposite Principles and Designs cannot agree in the same End, we cannot conceive them to co-operate with Harmony. The Friends to Liberty cannot be themselves passive Agents to their political Enemies; and of all the Instruments, by which the former may propose to carry on the Service of the Public, they cannot employ any so unfit, so fallacious, and so likely to frustrate their Intention, as those who are here distinguished by their real Character of ENEMIES to LIBERTY.

But I will not alarm the well-affected Part of my Countrymen. It may, perhaps, be more *seasonable* to congratulate them, that
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there are Friends to Liberty in high Offices, for we may rest assured, that They at least will do Justice to the Master, whom they serve.

This, indeed, is not the only Security of the Public ; for there are certain Marks, by which the Influence of bad, designing Men may be discerned ; and till those Marks appear, there is no Pretence for Jealousy.

When the public Affairs are carried on by the Advice of a private CABAL ; when that Cabal consists of Men, who are more popular among the Disaffected, than the Loyal Part of the People ; when the Well affected shrug their Shoulders, and *whisper* the Discontent, which Prudence, or Obligations, of Decency, restrain them from avowing ; when Men of known unshaken Zeal for the Service of their King and Country are discountenanced ; when Party Distinctions are said to be abolished, whilst the worst Principles, of the most dangerous Party, are insidiously gaining Ground, and the Principles of Liberty, on which the Revolution

volution was founded, decrease in their Value, by not being current; when Men are advanced to high Stations, who stand in Need of Vouchers for so indispensable, presupposed a Qualification as their Loyalty; and, in short, when Considerations of Decency, of Policy, and even of public Peace, are sacrificed to the narrow Views, the Party Prejudices, and the unpopular Support of the Cabal; then a free People will make use of their Eyes to see, of their Tongues to speak, and of their Hands to write; then the Liberty of the Press will be exercised upon its proper Objects, for it will be legally and honourably employed, in the Defence of the Crown, and of the Liberty of the Subject.

F I N I S.

Shortly will be published,

WRITTEN by the SAME HAND,
A NEW
DISSERTATION
ON
PARTIES.

